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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,305	06/27/2003	Douglas John Todd	10017314-2	8032

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[REDACTED] EXAMINER

JOERGER, KAITLIN S

ART UNIT	PAPER NUMBER
	3653

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/609,305	TODD, DOUGLAS JOHN
	Examiner	Art Unit
	Kaitlin S Joerger	3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 June 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6,8-10,12-14,17 and 20 is/are rejected.
- 7) Claim(s) 7,11,15,16,18,19,21 and 22 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 June 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the imaging receptacle" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 8, 9, 10, 12, 13, 14, 17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuda et al.

Matsuda et al. teaches a paper tray and paper tray assembly for providing imaging media to an imaging apparatus, comprising a base cassette, 13, and an insert cassette, 10, to be received within a receptacle in the base cassette. The insert cassette defines an imaging media receptacle to receive imaging media and the imaging media receptacle is defined by a top opening in the insert cassette.

Matsuda et al. further teaches a first insert cassette with a first media receptacle configured to received media of a first size and a second insert cassette with a second media receptacle of a second size configured to receive media of a second size. The first and second insert cassettes are of the same width and the width is defined by a centerline, the first and second receptacles are centered about the respective centerlines of the first and second insert cassettes, see figures 9a and 9b.

Figures 6 and 8 show that the base cassette comprises a front panel, a back panel, and two side panels adjoining the front and back panels, and a bottom panel, the front, back and side panels form an upper periphery which defines a receptacle to receive the insert cassette. Figures 2 and 8 show that the insert cassette comprises a top panel, which is supported by the base cassette upper periphery and the bottom panel when the insert cassette is placed in the base cassette receptacle.

Figure 7 shows that the insert cassettes are sized to be received within the insert cassette receptacle with the base cassette so as to be aligned with a base cassette side edge and wherein the insert cassette is also sized to be aligned with the base cassette centerline and base cassette top edge, see figures 7 and 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. in view of Sasaki.

Matsuda fails to teach a first keying member on the base cassette and a second keying member on the insert cassette for mating with the first keying member.

Sasaki, however, does teach this feature. He teaches a base cassette with a first keying member, 50-53, and an insert cassette with a second keying member, 23-26, where the two keying members mate when the insert cassette is received within the base cassette, see figure 7.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include first and second keying member as taught by Sasaki in the paper tray apparatus taught by Matsuda et al. if one desired to be able to ensure that the insert cassette was properly placed within the base cassette and in the correct orientation.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. in view of Ludland.

Matsuda et al. does not teach a handle to facilitate removal of the inser cassette from the base cassette.

Ludland, however does teach a handle located on an insert cassette to facilitate removal of the insert cassette from the base cassette. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the handle of Ludland on the insert cassette of Matsuda if one desired to be able to more easily remove the insert cassette from the base cassette once all of the media has been fed out.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al.

Matsuda et al. teaches a lift plate located within the insert cassette, and an opening underneath the lift plate to allow biasing member to push the lift plate up to raise the stack into the feeding position.

It is obvious that the lift plate of Matsuda is functionally equivalent to the lift plate of the applicant's invention, and the location of the lift plate does not alter its function nor does it provide for patentably distinct subject matter. Therefore, claim 5 is rejected over Matsuda et al.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. in view of Morris.

Matsuda et al. does not teach a restraining member to restrain the imaging media received within the insert cassette from being ejected by the lift plate.

Morris does teach such a feature, corner snubbers, 250a and 250b. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the corner snubbers of Morris in the insert cassette of Matsuda in order to prevent the lift plate from ejecting the media and causing misfeeds and double feeds of the imaging media.

Allowable Subject Matter

Claims 7, 11, 15, 16, 18, 19, 21, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaitlin S Joerger whose telephone number is 703-305-8503. The examiner can normally be reached on Monday - Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksj

22 July 2004


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